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DIRECTOR OF STRATEGY,
PERFORMANCE AND
GOVERNANCE'S OFFICE
DIRECTOR OF STRATEGY, PERFORMANCE
AND GOVERNANCE
Paul Dodson

13 October 2020

Dear Councillor

You are summoned to attend the meeting of the;

NORTH WESTERN AREA PLANNING COMMITTEE

on **WEDNESDAY 21 OCTOBER 2020 at 6.00 pm.**

Please note that this will be a **remote meeting** – Members to access the meeting via Microsoft Teams. Members of the press and public may listen to the live stream on the Council's website:

<https://democracy.maldon.gov.uk/ieListDocuments.aspx?CIId=150&MIId=2188>

A copy of the agenda is attached.

Yours faithfully



Director of Strategy, Performance and Governance

COMMITTEE MEMBERSHIP	CHAIRMAN	Councillor Mrs M E Thompson
	VICE-CHAIRMAN	Councillor R H Siddall
	COUNCILLORS	E L Bamford M F L Durham, CC Mrs J L Fleming K W Jarvis J V Keyes C P Morley Miss S White

Please note: Electronic copies are available via the Council's website www.maldon.gov.uk.

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AGENDA
NORTH WESTERN AREA PLANNING COMMITTEE
WEDNESDAY 21 OCTOBER 2020

1. **Chairman's notices (please see overleaf)**

2. **Apologies for Absence**

3. **Minutes of the last meeting** (Pages 7 - 12)

To confirm the Minutes of the meeting of the Committee held on 23 September 2020, (copy enclosed).

4. **Disclosure of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, other Pecuniary Interests or Non-Pecuniary Interests relating to items of business on the agenda having regard to paragraphs 6-8 inclusive of the Code of Conduct for Members.

(Members are reminded that they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting).

5. **20/00742/FUL - Lodge Farm Lodge Road, Hazeleigh** (Pages 13 - 26)

To consider the report of the Director of Service Delivery (copy enclosed, Members' Update to be circulated)*.

6. **TPO 6/20 - The Warren Golf Club, including Bunsay Downs and Badgers, Woodham Walter** (Pages 27 - 34)

To consider the report of the Director of Service Delivery (copy enclosed, Members' Update to be circulated)*.

7. **Any other items of business that the Chairman of the Committee decides are urgent**

Reports for noting:

In accordance with the Council decision (Minute No. 542 refers), the following report is for noting and is available on the I drive for Members' information.

- Other Area Planning and Related Matters – Appeals Lodged and Appeal Decisions
-

Note:

1. The Council operates a facility for public participation. This will operate only in relation to the consideration and determination of planning applications under Agenda Item No. 5.
2. The Committee may consider representation from one objector, one supporter, a Parish / Town Council representative, and the applicant / agent. Please note that the opportunity to participate is afforded only to those having previously made written representation.
3. Anyone wishing to participate must register by completing the online form (link below) no later than noon on the working day before the Committee meeting www.maldon.gov.uk/publicparticipation.
4. For further information please ring 01621 875791 or 876232 or see the Council's website – www.maldon.gov.uk/committees

* Please note the list of related Background Papers attached to this agenda.

NOTICES

Sound Recording of Meeting

Please note that the Council will be recording and publishing on the Council's website any part of this meeting held in open session. At the start of the meeting an announcement will be made about the recording.

BACKGROUND PAPERS

The Background Papers listed below have been relied upon in the preparation of this report:

1. The current planning applications under consideration and related correspondence.
2. All third party representations and consultation replies received.
3. The following Statutory Plans and Supplementary Planning Guidance, together with relevant Government legislation, Circulars, Advice, Orders, Directions and Guidance:

Development Plans

- Maldon District Local Development Plan approved by the Secretary of State 21 July 2017
- Burnham-On-Crouch Neighbourhood Development Plan (2017)

Legislation

- The Town and Country Planning Act 1990 (as amended)
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Planning (Hazardous Substances) Act 1990
- The Planning and Compensation Act 1991
- The Planning and Compulsory Purchase Act 2004 (as amended)
- The Planning Act 2008
- The Town and Country Planning (General Permitted Development) Order 1995 (as amended)
- The Town and Country Planning (Development Management Procedure) (England) Order 2010
- The Town and Country Planning (Use Classes) Order 1987 (as amended)
- The Town and Country Planning (Control of Advertisements) (England) Regs 2007
- The Town and Country Planning (Environmental Impact Assessment) Regs 2011
- Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012 (as amended)
- The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)
- Growth and Infrastructure Act 2013
- Housing and Planning Act 2016
- Neighbourhood Planning Act 2017
- The Town and Country Planning (Brownfield Land Register) Regulations 2017

Supplementary Planning Guidance and Other Advice

i) Government policy and guidance

- National Planning Policy Framework (NPPF) - 2018
- Planning Practice Guidance (PPG)
- Planning policy for Traveller sites - 2015
- Relevant government circulars
- Relevant Ministerial Statements (as referred to in the report)
- Essex and South Suffolk Shoreline Management Plan – October 2010

ii) Essex County Council

- Essex Design Guide 1997 (Note: superseded by Maldon District Design Guide 2018)
- Essex and Southend on Sea Waste Local Plan 2017
- Essex Minerals Local Plan 2014

iii) Maldon District Council

- Five Year Housing Land Supply Statement 2017 / 18
- Maldon District Design Guide – 2017
- Maldon and Heybridge Central Area Masterplan - 2017
- Infrastructure Delivery Plan (All versions, including update in Council's Hearing Statement)
- Infrastructure Phasing Plan (January 2015 and January 2017 update for Examination)
- North Heybridge Garden Suburb Strategic Masterplan Framework - 2014
- South Maldon Garden Suburb Strategic Masterplan Framework – 2014 (adapted as Supplementary Planning Document (SPD) 2018)
- Vehicle Parking Standards SPD - 2018
- Renewable and Low Carbon Technologies SPD – 2018
- Maldon District Specialist Housing SPD – 2018
- Affordable Housing and Viability SPD – 2018
- Accessibility to Buildings SPD – December 2006
- Children's Play Spaces SPD – March 2006
- Sadd's Wharf SPD – September 2007
- Heybridge Basin Timber Yard SPD – February 2007
- Developer Contributions Guide SPD - 2010
- Heybridge Basin Village Design Statement – 2007
- Wickham Bishops Village Design Statement – 2011
- Woodham Walter Village Design Statement – 2011
- Althorne Village Design Statement
- Woodham Walter Village Design Statement
- Various Conservation Area Appraisals

All Background Papers are available for inspection at the Maldon District Council Offices, Princes Road, Maldon, Essex CM9 5DL during normal office hours.



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
23 SEPTEMBER 2020**

PRESENT

Chairman	Councillor Mrs M E Thompson
Vice-Chairman	Councillor R H Siddall
Councillors	E L Bamford, M F L Durham, CC, K W Jarvis, J V Keyes and C P Morley
In Attendance	Councillors C Mayes and C Morris

1. CHAIRMAN'S NOTICES

The Chairman welcomed everyone to the meeting and took Members through some general housekeeping issues, the etiquette for the meeting as a result of the COVID-19 pandemic and then asked Officers present to introduce themselves.

This was followed by a roll call of all Members present.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs J L Fleming and Miss S White.

3. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 26 August 2020 be approved and confirmed.

4. DISCLOSURE OF INTEREST

Councillor M F L Durham disclosed a non-pecuniary interest as a Member of Essex County Council who were statutory consultees on a variety of matters relating to planning.

5. 20/00641/FUL - LAND NORTH WEST OF FERNBROOK HALL, MOPE LANE, WICKHAM BISHOPS

Application Number	20/00641/FUL
Location	Land North West Of Fernbrook Hall Mope Lane Wickham Bishops
Proposal	Demolition of the existing stable block and the construction of a five bedroom detached house.
Applicant	Mrs Paula Betchel
Agent	Raymond Stemp Associates
Target Decision Date	22.09.2020
Case Officer	Hannah Bowles
Parish	WICKHAM BISHOPS
Reason for Referral to the Committee / Council	Member call in by: Councillor K W Jarvis Reason: D1 and H4

It was noted from the Members' Update that a letter from the Agent had been received.

Following the Officer presentation Members were advised that two public participation submissions had been received, one from the Applicant and one from Wickham Bishops Parish Council. In accordance with the public participation scheme these were duly read out.

6. ADJOURNMENT OF THE MEETING

RESOLVED that the meeting be adjourned for 10 minutes to allow Officers to address an issue relating to one of the links on the Council's website to the live video stream of the meeting.

7. RESUMPTION OF BUSINESS

RESOLVED that the meeting be resumed.

The meeting resumed at the start of Agenda Item 5 upon advice given by the Monitoring Officer, the officer's presentation and public submissions were re-read.

8. 20/00641/FUL - LAND NORTH WEST OF FERNBROOK HALL, MOPE LANE, WICKHAM BISHOPS CONTINUED

Application Number	20/00641/FUL
Location	Land North West Of Fernbrook Hall Mope Lane Wickham Bishops
Proposal	Demolition of the existing stable block and the construction of a five bedroom detached house.
Applicant	Mrs Paula Betchel
Agent	Raymond Stemp Associates
Target Decision Date	22.09.2020
Case Officer	Hannah Bowles

Parish	WICKHAM BISHOPS
Reason for Referral to the Committee / Council	Member call in by: Councillor K W Jarvis Reason: D1 and H4

It was noted from the Members' Update that a letter from the Agent had been received.

Following the Officer presentation Members were advised that two public participation submissions had been received, one from the Applicant and one from Wickham Bishops Parish Council. In accordance with the public participation scheme these were duly read out.

A debate ensued and comments regarding the site's previous development and sustainability were raised. It was also highlighted that the property would be screened from the road by woodland and would be in keeping with other large properties along Blue Mills Hill.

The Lead Specialist Place emphasised that this application was not within a defined settlement boundary and was contrary to policy.

The Chairman moved the Officers' recommendation that planning application 20/00641/FUL – Land North West of Fernbrook Hall, Mope Lane, Wickham Bishops be refused for the reasons as detailed in Section 7 of the report. This was seconded by Councillor E L Bamford. Upon a vote being taken the Officer's recommendation was lost.

Councillor K W Jarvis having supported the application during the earlier debate, proposed that the application be approved contrary to the Officer's recommendation, subject to suitable conditions and legal agreements being delegated to Officers in consultation with the Chairman of the Committee and a Section 106 Agreement. A number of reasons for approval were discussed and it was duly agreed that these should relate to how on balance there was not significant harm, the proposal was of an acceptable design and replaced an existing building.

The Chairman put the proposal to approve the application contrary to the Officer's recommendation to the Committee. Upon a vote being taken the application was approved.

RESOLVED that the application be **APPROVED** subject to legal agreements and conditions delegated to Officers in consultation with the Chairman and subject to a Section 106 agreement.

9. 20/00678/FUL - AGRICULTURAL BARNS ADJACENT 31 PLAINS ROAD, GREAT TOTHAM

Application Number	20/00678/FUL
Location	Agricultural Barns Adjacent 31 Plains Road Great Totham
Proposal	Demolition of existing outbuildings and construction of 2no. detached residential dwellings with associated landscaping and vehicle parking
Applicant	Mr Hubble
Agent	Paul Calder - Real8 Group

Target Decision Date	11.09.2020
Case Officer	Hayleigh Parker-Haines
Parish	GREAT TOTHAM
Reason for Referral to the Committee / Council	Member call in from Councillor R H Siddall Reason: S8 - the re-use of a redundant or disused building that would lead to an enhancement to the immediate setting. D1 – built environment, positive contribution and natural environment (f)

It was noted from the Members' Update that responses from Great Totham Parish Council and Environmental Health had been received.

Following the Officer presentation Members were advised that a public participation submission had been received from the Applicant. In accordance with the public participation scheme this was duly read out.

A discussion ensued as to the site's previous employment and agricultural use, and the proposed improvement to the street scene. Some Members commented that the site was an eyesore in its current state and debate followed as to the redevelopment of the site into residential development.

The Lead Specialist Place emphasised that the Council did not support employment loss, that the application was against policy, not within a settlement boundary, and that significant weight should be given to the application's previous refusal at Committee in June 2020.

The Chairman moved the Officers' recommendation that planning application 20/00678/FUL – Agricultural Barns Adjacent 31 Plains Road, Great Totham be refused for the reasons as detailed in Section 8 of the report. This was seconded by Councillor M F L Durham. Upon a vote being taken the Officer's recommendation was lost.

Councillor R H Siddall supported the application and proposed that it be approved contrary to the Officer's recommendation for the reasons that it would improve the natural environment by restoring land to countryside, improve the visual impact to the street scene, and would provide a positive contribution to the surrounding area. In addition, it should be subject to suitable conditions and legal agreements being delegated to Officers in consultation with the Chairman of the Committee and a Section 106 Agreement.

The Chairman put the proposal to approve the application contrary to the Officer's recommendation to the Committee. Upon a vote being taken the application was approved.

RESOLVED that the application be **APPROVED** subject to the legal agreements and conditions delegated to Officers in consultation with the Chairman and subject to a S106 agreement.

10. 20/00738/HOUSE - 22 THE GLEBE, PURLEIGH

Application Number	20/00738/HOUSE
Location	22 The Glebe, Purleigh
Proposal	Adding dropped kerb and vehicle crossing to allow access to and use of side/front garden as driveway.
Applicant	Ms G Beacham
Agent	N/A
Target Decision Date	06.10.2020
Case Officer	Hayleigh Parker-Haines
Parish	PURLEIGH
Reason for Referral to the Committee / Council	Member Call In – Councillor Miss S White – Public Interest and Highways

Following the Officer presentation Members were advised that two public participation submissions had been received, one from a Supporter and one from the Applicant and in accordance with the public participation scheme these were duly read out.

The Chairman moved the Officers' recommendation that planning application 20/00738/HOUSE – 22 The Glebe, Purleigh be refused for the reason as detailed in Section 8 of the report and this was duly seconded by Councillor R H Siddall.

Members discussed the proposal and following this the Chairman put the officer's recommendation of refusal to the Committee. This was duly seconded and upon a vote being taken it was refused.

RESOLVED that the application be **REFUSED** for the following reason.

1. A dropped kerb in this location, as a result of the amount of grass verge and vegetation which would be lost and expanse of associated driveway proposed, would be an incongruous feature to the detriment of appearance of the streetscene where such features are largely absent along this section and southern side of The Glebe. As a result, the development would cause demonstrable harm to the character and appearance of the area, contrary to policies D1 and H4 of the approved Maldon District Local Development Plan.

There being no further items of business the Chairman closed the meeting at 3.40 pm.

MRS M E THOMPSON
CHAIRMAN

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**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**NORTH WESTERN AREA PLANNING COMMITTEE
21 OCTOBER 2020**

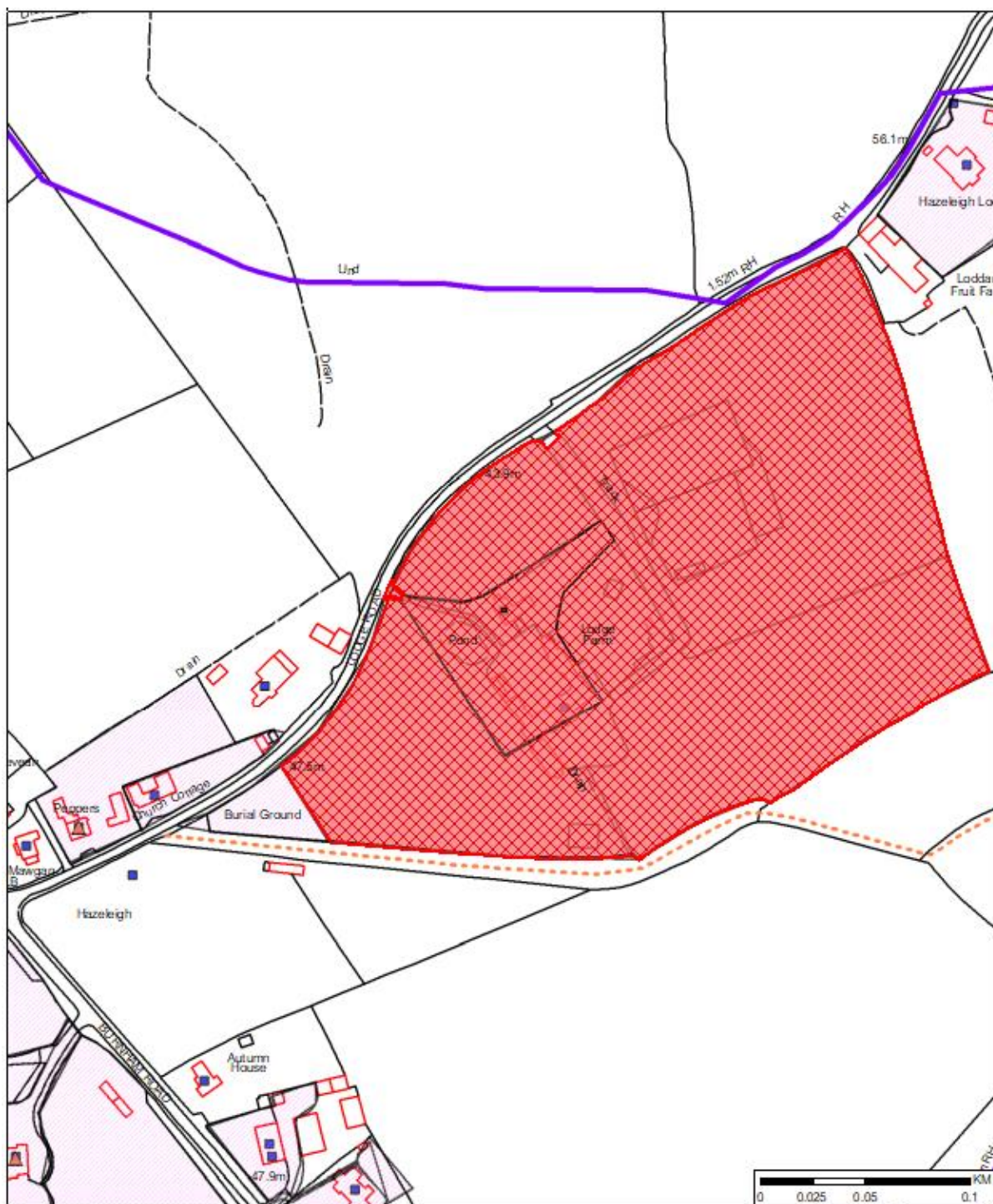
Application Number	20/00742/FUL
Location	Lodge Farm Lodge Road Hazeleigh
Proposal	Removal of condition 2 (demolition of existing dwelling) in order to retain the existing original dwelling on site as ancillary accommodation to the main dwellinghouse on approved planning permission 14/01109/FUL (Variation of condition 2 on approved application FUL/MAL/09/00994 (New detached double garage and conversion of existing bungalow garage to residential family room) to allow the provision of a double front entrance door instead of a single door as approved, and change to the front porch on the northern elevation of the dwelling.)
Applicant	Mr A Burrows
Agent	Mrs H Webb - Smart Planning Ltd
Target Decision Date	23.10.2020
Case Officer	Hannah Bowles
Parish	HAZELEIGH
Reason for Referral to the Committee / Council	Member Call In from Councillor M F L Durham on the basis of local interest. Major Application


1. RECOMMENDATION

REFUSE for the reasons as detailed in Section 8 of this report.

2. SITE MAP

Please see overleaf.



 <p>MALDON DISTRICT COUNCIL</p> <p>Copyright For reference purposes only. No further copies may be made. This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office to Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Maldon District Council 100018588 2014</p> <p>www.maldon.gov.uk</p>	Scale:	1:2,500
	Organisation:	Maldon District Council
	Department:	Planning Services
	Comments:	Not Set
	Date:	04/10/2020
	MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located on the southern side of Lodge Road in a rural location outside of the defined settlement boundaries of the district. Lodge Road is a single lane track boarded by an abundance of soft landscaping and trees, surrounded mainly by open and undeveloped agricultural fields. There is a cluster of dwellings to the south of the site as Lodge Road meets Burnham Road.
- 3.1.2 The application site is occupied by two residential dwellings, the original farmhouse and a large and sprawling dwelling, complete with an integral annexe, which was constructed on the basis of a replacement dwelling in lieu of the original farmhouse.
- 3.1.3 The site as outlined in red comprises the dwellings noted above and its residential curtilage. Agricultural fields make up the remainder of the site located immediately adjacent to the southern, eastern and western boundaries of the residential curtilage.
- 3.1.4 Planning permission for the replacement dwelling was initially granted under the terms of 08/00763/FUL and the design was subsequently altered under 09/00994/FUL. The permission was revised again under the terms of a variation of condition application reference 14/01109/FUL, with the replacement dwelling being constructed in line with this permission.
- 3.1.5 Planning permission is sought for the removal of condition 2 of planning reference 14/01109/FUL, in order to retain the original dwelling on site as ancillary accommodation to the main replacement dwellinghouse. Condition 2 states:

'Within 3 months following the first occupation of the dwelling hereby approved the existing dwelling on the site shall be demolished and the resulting material removed from the site.'

REASON

The development has only been approved on the basis that the dwelling house hereby approved is a replacement for that which exists in accordance with policies S2 and CC22 of the adopted Maldon District Replacement Local Plan.'

- 3.1.6 The applicant wishes to retain the original dwelling to use as annexe accommodation ancillary to the replacement dwelling. A draft Unilateral Undertaking (UU) has been submitted with the application and would ensure that the original dwelling is not sold separately to the remainder of the site and that the original dwelling would not be occupied other than ancillary accommodation to the replacement dwelling.

3.2 Conclusion

- 3.2.1 Condition 2 of application 14/01109/FUL was crucial to the approval of the replacement dwelling and meets the six tests as contained in the Planning Practice Guidance (PPG). Therefore, it would be unreasonable to remove this condition without sufficient justification.

- 3.2.2 The application site lies outside the defined settlement boundaries of the District wherein both policies of the Development Plan (DP) and Government Guidance points towards the continued restraint of development in the countryside. In order to protect the intrinsic character of the countryside, it should be open and free from unnecessary development. The retention of the original dwelling which visually would appear tantamount to an additional dwelling at the application site, is considered to result in the intrusion and intensification of residential development, eroding the character and appearance of the rural site and area.
- 3.2.3 Furthermore, given the lack of information submitted with the application to demonstrate that the original dwelling would be used in an ancillary nature, the failure of the proposal to comply with the criteria set out in the Specialist Needs Housing (SNH) SPD for annexe accommodation, and that insufficient justification / evidence for the removal of the condition has been supplied, it is not considered that there are any material considerations that outweigh the identified harm or the conflict with policies and government guidance. Therefore, the proposal is considered to be contrary to policies S1, S8, D1 and H4 of the Local Development Plan (LDP), the guidance and provisions as contained within the National Planning Policy Framework (NPPF), the SHN SPD and the adopted Maldon District Design Guide (MDDG).

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2019 including paragraphs:

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 54 – 57 Planning conditions and obligations

4.2 Maldon District Local Development Plan 2014 – 2029 approved by the Secretary of State:

- S1 Sustainable Development
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D3 Conservation & Heritage Assets
- H4 Effective Use of Land
- T1 Sustainable Transport
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

- Car Parking Standards
- National Planning Policy Framework (NPPF)
- Specialist Needs Housing (SNH) SPD

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, Section 70(2) of the 1990 Act and paragraph 47 of the NPPF require that planning applications are determined in accordance with the DP unless material considerations indicate otherwise.
- 5.1.2 The application site lies outside of any defined development boundary. According to policies S1 and S8 of the LDP, the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. The policies stipulate that outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided the development is for proposals that are in compliance with policies within the LDP, neighbourhood plans and other local planning guidance.
- 5.1.3 The replacement dwelling which has been constructed was only approved on the basis that it would replace the original dwelling at the application site, the reason for the imposition of condition 2 specifically states *'The development has only been approved on the basis that the dwelling house hereby approved is a replacement for that which exists in accordance with policies S2 and CC22 of the adopted Maldon District Replacement Local Plan.'* The original and proceeding applications for the replacement dwelling were only found to be acceptable in principle based on the fact that it would replace the original dwelling. Therefore, without the imposition of condition 2 the replacement dwelling would not have been acceptable in principle. Whilst application 14/01109/FUL was assessed and approved prior to the approval of the current LDP, policy CC22 (replacement dwellings) of the Maldon District Replacement Local Plan (MDRLP) 2005 has been carried forward and replaced by Policy H4 of the LDP 'Effective Use of Land'. The general thrust of the policies are similar and consistent. Therefore, on this basis it is not considered that the proposal to retain the original dwelling is acceptable in principle.
- 5.1.4 The success of the application will rely on any material considerations outweighing the conflict with approved policies and harm identified within this report. The material considerations when determining this application for the removal of Condition 2 is whether the condition is legally sound and if there is other justification submitted to warrant its removal.

5.2 Justification for the Removal of Condition 2

- 5.2.1 The submitted Planning Statement contends that the application should be approved based on the heritage significance of the original dwelling and proposes to surrender permitted development rights in relation to the replacement dwelling, allowed under Class A of the General Permitted Development Order (GPDO) which relates to the enlargement, improvement or other alteration of a dwellinghouse.

Heritage Significance

5.2.2 The original dwelling is **not** a designated or locally listed non-designated heritage asset and the loss of this building was not objected under the terms of previously approved applications 08/00763/FUL, 09/00994/FUL and 14/01109/FUL, which allowed the replacement dwelling on the basis that the original dwelling would be demolished.

5.2.3 In an attempt to justify the retention of the original dwelling a Heritage Statement (HS) prepared by Janice Gooch Heritage Consultancy has been submitted with the application. The HS concludes:

‘The property forms part of a Planning condition that on completion of the new build, the existing Lodge Farmhouse is to be demolished. However, this property is considered to be of high historic significance and worthy of nominating for listing due to the existing layout, early C17 timber frame and brickwork.’

5.2.4 The Council’s Conservation Officer (CO) has been consulted for their expert opinion and the following conclusions have been provide within their consultation response:

‘The overall significance of the house is limited because of the degree to which it has been altered in the 20th century. All evidence for original openings has been obscured by later alterations. Indeed, at a glance the house has the appearance of an unexceptional mid-20th-century dwelling. The house has certainly been too altered to merit national listing, but it may be regarded as a non-designated heritage asset for the purposes of paragraph 197 of the NPPF due to its early architectural features.’

‘From a conservation perspective it would be a shame to lose this old house as it possesses some moderate local architectural and historic interest.’

‘I welcome the proposal to retain the house, to replace the plastic windows with timber windows, to demolish the conservatory and repoint the soft-red brickwork using an appropriate lime mortar. The retention of the house would pose no conflict with the requirements of policy D3 of the Maldon LDP or chapter 16 of the NPPF.’

5.2.5 The Conservation Officer highlights that the original dwelling possesses moderate local architectural and historic interest but given the significant alterations that have taken place, it would not be worthy of national listing. Whilst a limited benefit in terms of heritage can be drawn from the proposal to retain the original dwelling, this is considered to be significantly outweighed by the conflict with the policies contained within the LDP and the harm to the site and rural landscape (discussed in section 5.4).

Permitted Development Rights

5.2.6 In a further attempt to justify the retention of the original dwelling, the applicant has highlighted the extensions that could potentially be undertaken to the replacement dwelling under the permitted development rights contained with Class A of the GPDO. A plan titled ‘Illustrative Permitted Development and Proposed Demolition’ has been submitted to visually demonstrate the extent that the applicant believes the replacement dwelling could be extended.

- 5.2.7 Firstly, a lawful development certificate to confirm if the proposed extensions shown on the plan would be lawful, has not been submitted to Council for approval and in any event, it was not considered necessary to remove these permitted development rights at the time of the approval of the replacement dwelling. Therefore, should the applicant wish to undertake an extension that complies with Class A of the GPDO, this is within their gift and would not justify the removal of condition 2 which was crucial in the approval of the replacement dwelling.
- 5.2.8 The surrendering of the permitted development rights in favour of the retention of the original dwelling is not considered to weigh in favour of the proposal, given that it was not considered necessary to remove these permitted development rights at the time of the approval. However, should the application be approved, it is considered that given the significant level of built form that would lawfully occupy the site, a condition to remove these rights would meet the 6 tests and should be imposed.

5.3 Provision of Annexe Accommodation

- 5.3.1 The original dwelling is proposed to be retained as ancillary accommodation and is referred to as the 'Cottage Annexe' throughout the submitted Planning Statement. Whilst it has not been explicitly stated what the ancillary accommodation is proposed to be, the existing floor plan shows that the original dwelling provides a full suite of accommodation needed for day to day living and no proposed plans which indicate a change in the current accommodation have been submitted. Therefore, on this basis, should the application be approved the original dwelling could be used as annexe accommodation.
- 5.3.2 It is pertinent to note that the replacement dwelling was approved with an integral annexe which provides a lounge, bathroom, kitchen, dining room and double bedroom with an en-suite.
- 5.3.3 The SNH SPD, was adopted in September 2018 and states that proposals for annex accommodation will not only be required to meet the criteria in policy H4 but also the criteria within the SPD which is as follows:
- 1) Be subservient/subordinate to the main dwelling;
 - 2) Have a functional link with the main dwelling (i.e. the occupants' dependant relative(s) or be employed at the main dwelling);
 - 3) Be in the same ownership as the main dwelling;
 - 4) Be within the curtilage of the main dwelling and share its vehicular access;
 - 5) Be designed in such a manner to enable the annex to be used at a later date as an integral part of the main dwelling;
 - 6) Have no separate boundary or sub-division of garden areas between the annex and the main dwelling; and
 - 7) Have adequate parking and amenity facilities to meet the needs of those living in the annex and the main dwelling.
- 5.3.4 In relation to criteria 1, whilst the original dwelling is a significantly smaller scale than the replacement dwelling, given that the original dwelling was the main dwelling on the application site for a substantial length of time and is of a scale, appearance and form of the relatively spacious family home in its own right, it is not considered

that the original dwelling appears subservient or subordinate in relation to the replacement dwelling.

- 5.3.5 In respect of criterion 2, it is noted that the application proposes to retain the dwelling as ancillary accommodation. However, no information in respect of the intended use or how the original dwelling would form ancillary accommodation has been supplied. The existing accommodation would facilitate a full suite of activities for day to day living and the level of facilities would allow for a totally independent form of development from the replacement dwelling. The existing level of accommodation goes a long way beyond satisfying the functional needs of a potential future occupier and would easily remove the need for the building to be used ancillary to the main dwelling. In effect, should the application be approved in its current form the original dwelling could be used as a self-contained unit of accommodation detached from the replacement dwelling without any degree of dependency or requirement to interact with the principal property.
- 5.3.6 The original dwelling is within the same ownership as the replacement dwelling, it is within the residential curtilage of the site and shares the existing vehicular access. Therefore, the proposal would comply with criterion 3 and 4.
- 5.3.7 In respect of criterion 5, the replacement dwelling is of a significant size and provides in excess of 30 rooms, including an integral annexe. Given the level of accommodation available with the replacement dwelling, it is not considered likely that the original dwelling if retained, would be used as an integral part of the replacement dwelling. In addition, no evidence to suggest that it could form an integral part of the replacement dwelling, has been supplied.
- 5.3.8 In relation to criterion 6, there is a plot of land to the rear of the original dwelling which is physically separated from the land immediately east of the replacement dwelling, by a high level of soft landscaping, forming a sub-division of the garden areas.
- 5.3.9 In relation to criterion 7, there are adequate parking and amenity facilities to meet the needs of those living in the annex and the main dwelling.
- 5.3.10 The proposal fails to comply with criterion 1, 2, 5 and 6 contained within the SNH SPD. In addition, and importantly there has been no evidence provided to justify the need for the retention of the original dwelling and as stated above there is an existing integral annexe and in excess of 30 rooms contained within the replacement dwelling. Therefore, on the basis of the above assessment and the lack of information provided, it is considered that the retention of the original dwelling is unjustified.

5.4 Design and Impact on the Character of the Area

- 5.4.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high quality built environment for all types of development.

It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that:

“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:-

- a) Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
- b) Height, size, scale, form, massing and proportion;
- c) Landscape setting, townscape setting and skylines;
- d) Layout, orientation, and density;
- e) Historic environment particularly in relation to designated and non-designated heritage assets;
- f) Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
- g) Energy and resource efficiency.

5.4.2 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG (2017).

5.4.3 The application site lies outside of any defined development boundary. According to policies S1 and S8 of the LDP, the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. The policies stipulate that outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided the development is for proposals that are in compliance with policies within the LDP, neighbourhood plans and other local planning guidance.

5.4.4 The application site is set within the rural countryside. The residential curtilage lies amongst fields within the applicant's ownership, adjacent to the east, south and west. Open countryside is located to the rear and opposite site. There is a cluster of residential development on the opposite side of Lodge Road, to the south of the site.

5.4.5 The application site is currently occupied by two residential dwellings. The two storey element of the original dwelling subject of this application measures 11.1m wide, 7.6m deep and has a ridge height of 9m. Whilst it is set back from the public highway by around 45m, due to its scale it is largely visible from the public highway when travelling in both directions. The replacement dwelling is of a significant size and is an usual shape, with two front projections and a rear projection, it has a staggered roof line and varying depths. The main body of the dwelling is 40m wide, a maximum depth of 15.3m and with a maximum ridge height of 11m. There is a rear projection which measures 21m in depth and 8m wide and two front projections on the eastern and western side of the front elevation both of which project 25m from the

front elevation. The replacement dwelling is set further back within the plot around 80m from public highway, whilst less prominent than the original dwelling, views of the dwelling are available from Lodge Road.

- 5.4.6 The retention of the original dwelling would result in the site appearing to be occupied by two planning units due to the scale, appearance siting and segregation of the original dwelling. The level of sprawling built form that would permanently occupy the site is significant and would fail to protect the rural landscape. In order to protect the intrinsic character of the countryside, it should be open and free from unnecessary development. It is considered that the visual impact to the site and surrounding rural area that would result from the permanent retention of the original dwelling would be unacceptable and unjustified. The retention of the original dwelling would visually appear tantamount to an additional dwelling at the application site; eroding the character and appearance of the site, rural area, and would represent the intrusion and intensification of residential development at the site and within the surrounding area, contrary to policies S1, S8, D1 and H4 of the LDP, the guidance and provisions as contained within the NPPF and the adopted MDDG.

5.5 Use of Planning Conditions – The Six Tests

- 5.5.1 The PPG (Use of Planning Conditions) states that conditions can enhance the quality of a development and enable development to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects. The NPPF and PPG make it clear that planning conditions should satisfy the following six tests; (1) necessary, (2) relevant to planning, (3) relevant to the development, (4) enforceable, (5) precise and (6) reasonable in all other respects.
- 5.5.2 Condition 2 of planning permission 14/01109/FUL, was carried thorough from 09/00994/FUL. The condition was crucial to the success of the original application for a replacement dwelling and met the 6 tests, set out above.
- 5.5.3 Given the above assessment, it has been demonstrated that the condition is still reasonable and necessary for a number of reasons including the lack of evidence to confirm that the original dwelling would be used in an ancillary nature and wouldn't result in an additional planning unit, and to protect the visual amenity of the existing site and surrounding rural area. Due to the nature and wording of the subject condition it remains relevant to planning and the development, enforceable and precise.

5.6 Impact on Residential Amenity

- 5.6.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG (2017).
- 5.6.2 The original dwelling and use of the site for residential purposes is existing and established. Therefore, on this basis it is not considered that the retention of the original dwelling would detrimentally impact the residential amenity of the neighbouring occupiers.

5.7 Access, Parking and Highway Safety

- 5.7.1 The Council's adopted Vehicle Parking Standards (VPS) SPD contains the parking standards which are expressed as maximum standards. This takes into account Government guidance which encourages the reduction in the reliance on the car and promotes methods of sustainable transport.
- 5.7.2 The existing access to the site is not proposed to be altered and the provision of additional ancillary accommodation would not result in a significant increase in the vehicular movements to and from the site. Therefore, no concerns are raised in terms access or highway safety.
- 5.7.3 The original dwelling, as existing, has two bedrooms and the replacement dwelling has six bedrooms. Therefore, a minimum of three car parking spaces should be provided. The site has space to park in excess of three cars. Therefore, no concerns in this respect are raised.

5.8 Private Amenity Space

- 5.8.1 Policy D1 of the approved LDP requires all development to provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces. In addition, the adopted Maldon Design Guide (MDG) SPD advises a suitable garden size for each type of dwellinghouse, namely 100m² of private amenity space for dwellings with three or more bedrooms, 50m² for smaller dwellings and 25m² for flats.
- 5.8.2 The replacement dwelling is served by an amenity area in excess of 100m². The retention of the dwelling would not impact this area. Therefore, no concerns in this respect are raised.

5.9 Other Material Considerations

- 5.9.1 The submission of the draft UU has been considered. However, given the above assessment, it is not considered that this would outweigh the harm caused by the proposal.

6. ANY RELEVANT SITE HISTORY

- **04/01257/FUL** – Two storey additions to existing house, construction of cart lodge and conversion of barn to games room – Approved
- **05/01118/FUL** - Refurbishment of existing dwelling, erection of conservatory and provision of garage, workshop, office / studio in replacement barn – Approved
- **06/01272/FUL** - Replacement dwelling with dependant accommodation and indoor swimming pool – Refused
- **08/00265/LDE** - Claim for a Certificate of Lawfulness: The use of Lodge Farm without complying with an agricultural occupancy condition – Approved
- **08/00763/FUL** - Replacement dwelling with dependant accommodation and indoor swimming pool. Approved
- **08/01063/FUL** - To retain main entrance gateway complete with 2m high brick walls to either side of existing drive and fitting of new gates – Refused - 22.12.2008.
- **09/00714/FUL** - Erection of entrance walling and gates (revised scheme) – Approved

- **09/00994/FUL** - Replacement dwelling with dependant accommodation and indoor swimming pool – Approved
- **10/00407/HOUSE** - To construct a timber framed and clad storage shed. - Approved
- **14/01048/NMA** - Application for non-material amendment following grant of Planning Permission FUL/MAL/09/00994 (Replacement dwelling with dependant accommodation and indoor swimming pool) Amendment to the front entrance, alterations to the size of the entrance to accommodate a double front entrance as opposed to a single door. – Refused
- **14/01109/FUL** - Variation of condition 2 on approved application FUL/MAL/09/00994 (New detached double garage and conversion of existing bungalow garage to residential family room) to allow the provision of a double front entrance door instead of a single door as approved, and change to the front porch on the northern elevation of the dwelling. – Approved

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.1 **Representations received from Parish / Town Councils**

Name of Parish / Town Council	Comment	Officer Response
Woodham Mortimer and Hazeleigh Parish Council	Councillors feel sympathetic to the potential loss of the existing cottage stood at the site for many years and SUPPORT the removal of condition 2, however the Council would like to see a condition imposed that restricts the dwelling to ancillary use never to be partitioned or utilised as a separate dwelling. The cottage should also be conditioned that it will be continually maintained to an acceptable standard commensurate with its original character and rural environment.	Noted.

7.2 **Internal Consultees**

Name of Internal Consultee	Comment	Officer Response
Conservation Officer	No objection.	Noted.

7.3 **Representations received from Interested Parties**

7.3.1 No letters of representation have been received for this application.

8. REASONS FOR REFUSAL

- 1 The application site lies outside the defined settlement boundaries of District wherein both policies of the Development Plan and Government Guidance points towards the continued restraint of development in the countryside. In order to protect the intrinsic character of the countryside, it should be open and free from unnecessary development. The removal of Condition 2 of 14/01109/FUL would result in the retention of the original dwelling which visually would appear tantamount to an additional dwelling at the application site, representing the intrusion and intensification of residential development, eroding the character and appearance of the rural site and area. Therefore, the proposal is contrary to policies S1, S8, D1 and H4 of the LDP the guidance and provisions as contained within the NPPF and the adopted Maldon District Design Guide.
- 2 A lack of information has been submitted with the application, to demonstrate that the original dwelling would be used in an ancillary nature and the proposal fails to comply with the criteria set out in the Specialist Housing Needs SPD for annexe accommodation. Further, insufficient justification / evidence for the removal of the condition has been supplied. Therefore, the proposal is contrary to policies S1, S8, D1 and H4 of the LDP, the guidance and provisions as contained within the NPPF, the Specialist Housing Needs SPD and the adopted Maldon District Design Guide.

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**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**NORTH WESTERN AREA PLANNING COMMITTEE
21 OCTOBER 2020**

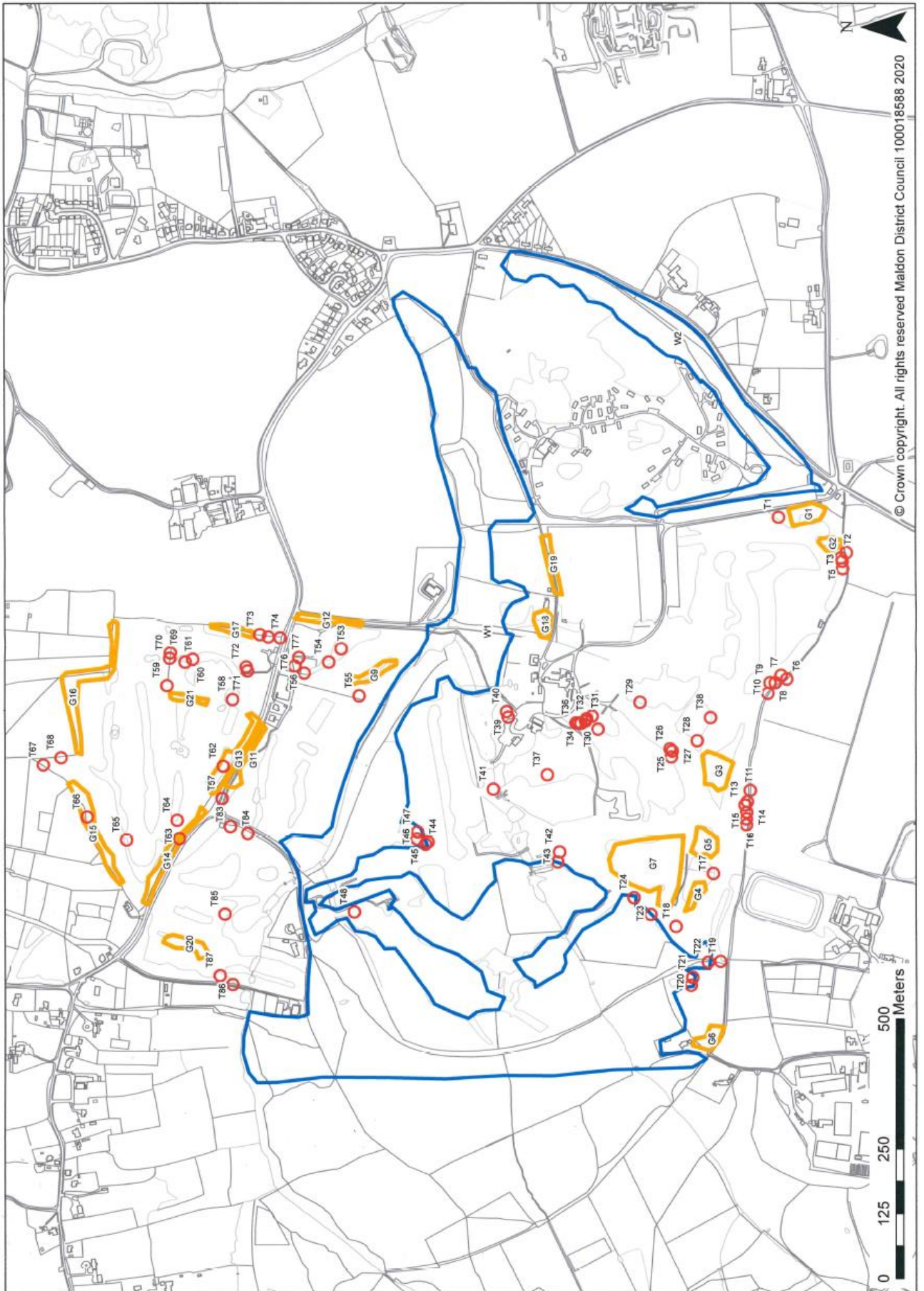
Application Number	TPO 6/20
Location	The Warren Golf Club, including Bunsay Downs and Badgers, Woodham Walter
Proposal	Confirmation of TPO 6/20
Owner/s	The Warren Golf and Country Club Limited
Confirmation by	28.10.2020
Case Officer	Hayleigh Parker-Haines
Parish	WOODHAM WALTER
Reason for Referral to the Committee / Council	Decision on confirmation of a Tree Preservation Order as per the Council's scheme of delegation

1. RECOMMENDATION

CONFIRM Tree Preservation Order (TPO) 6/20 without modification:

2. SITE MAP

Please see overleaf.



3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 In October 2018, the Council received reports of inappropriate and unjustified arboricultural works taking place within The Warren Estate. These works were considered to put the trees at risk and therefore, a Tree Evaluation Method for Preservation Orders (TEMPO) assessment, which is a nationally accepted system of scoring the amenity value of a tree, was carried out and an emergency Tree Preservation Order (TPO) was served. The initial TEMPO assessment scored the area of trees 23 out of 25 and concluded that the woodland was worthy of a TPO and an Area TPO was served on 29th October 2018. However, following further site visits by the Maldon District Council (MDC)'s Tree Consultant and a Planning Officer, specific trees, groups of trees and woodlands worthy of retention were identified. The emergency TPO was therefore revoked and a new more specific TPO (4/19) was served on 26th April 2019. The TEMPO assessment scored the more specific TPO (4/19) 20 out of 25 and concluded that the woodland was worthy of a TPO. Consequently, as a result of further site visits following additional inappropriate works having been carried out, and the loss of several trees due to weather conditions TPO 4/19 was revoked and TPO 6/20 was served.
- 3.1.2 One letter of objection has been received relating to the serving of TPO 6/20 on The Warren Golf Course, including Bunsay Downs and Badgers, Woodham Walter.
- 3.1.3 The objections remain unresolved, therefore the question of whether or not to confirm the TPO has been brought before members to be determined.

3.2 The Site

- 3.2.1 The trees are located within the grounds of The Warren Estate; including Bunsay Downs and Badgers. The trees are a prominent feature that can be seen from public vantage points, including footpaths, highways and the surrounding area and it is therefore considered to be an important landscape feature. The trees included in the order are mixed species including Oak, Beech, Sycamore, Eucalyptus, Lombardy Poplar, Holly, Sweet Chestnut, Cedar, Weeping Willow, Ash, Elm, Purple Leaf Plum, Hornbeam, Scots Pine, Silver Birch, Lime, and Norway Maple.
- 3.2.2 Given the maturity of the trees and the prominent location within The Warren Estate and surrounding area, it is considered that this woodland landscape plays a significant role in underscoring the value of the visual amenity of the surrounding area.

3.3 Ownership

- 3.3.1 The majority of the trees included in the order are owned and managed by The Warren Golf and Country Club Limited. However, an area of land around The Warren House is owned and managed by Mr John Durham and Mrs Diana Durham.

4. MAIN RELEVANT POLICIES

4.1 Relevant Planning Guidance / Documents:

- Planning Practice Guidance (PPG)

4.2 Government Guidelines:

- 4.2.1 Government guidelines advise that the Local Planning Authority (LPA) is required to take into account all duly made objections and representations before deciding whether to confirm the TPO.
- 4.2.2 If Members decide to Confirm TPO 6/20, the owners have the right to make an application to the High Court to challenge the validity of the TPO. There are specific grounds on which this application must be made:
1. that the TPO is not within the powers of the Act, or
 2. that the requirements of the Act or Regulations have not been complied with in relation to the TPO.
- 4.2.3 There are costs involved in this procedure which can be awarded. An application must be made within six weeks of the date the TPO was confirmed.

5. MAIN CONSIDERATIONS

- 5.1 The trees are a prominent feature in the landscape of the area and are considered to have a high amenity value as they are highly visible within the public realm from footpaths, roads and the surrounding area, and consists of large, mature and attractive mixed species trees.
- 5.2 A report of inappropriate and unjustified arboricultural works taking place on a number of trees within the Estate was brought to the Council's attention. The Council had been contacted on a number of occasions by members of the public raising concerns in regard to the tree management within the site. Upon the first report raising concern, the MDC's Tree Consultant attended the site and spoke to the 'green keeping' manager and advised that the proposed works were not being carried out within good practice and advised that for a site of this size a tree management plan would be the best practice. Following this several more reports were received by the Council from members of the public with further concerns in regards to the tree works taking place. Upon several site visits it became apparent that a number of larger trees had been removed and evidence of further inappropriate pruning works had taken place, all of which were not in accordance with good arboricultural practice. Furthermore, since raising the previous TPO, The Warren Estate have not demonstrated that they are managing the trees in accordance with good arboricultural practice. A number of trees have also been identified to the 'green keeper' by the Tree Consultant and Essex County Council (ECC) as a health and safety risk to users of the site, and following the most recent site visit with the Forestry Commission it was noted these trees were still present.

- 5.3 The area of land is not located within a Conservation Area and therefore did not have any form of statutory protection prior to the serving of the TPO. Therefore, any or all of the trees on this land could have been removed without the permission of MDC, which would damage the amenity value that these trees offer within the surrounding landscape. In the interest of protecting this prominent landscape feature and the amenity value of the trees within the locality the trees within the Estate were assessed using the TEMPO and the trees scored 20 out of 25 which means, that the trees would definitely merit a TPO.
- 5.4 It should be noted that the TPO would not prevent works to the trees from being carried out, however it would control any works to ensure that they were suitable, justified and did not harm the health of the trees or affect the amenity value the woodland as a whole.
- 5.5 An objection has been received in relation to the clarity of the documents accompanying the serving of the tree preservation order, however, some of the points raised appear to have been carried over from the previous TPO and are not considered relevant to this application. Officers comments to the objection can be found in section 7.1.1 of this report.
- 5.6 The TPO does not place any additional burden upon the owner to carry out works, it does however require a formal application to be submitted and approved before carrying out works that may involve pruning, lopping or felling of trees and changes in the vegetative character of the area. An owner also has the option to submit a management plan, setting out a programme of works over a period of up to 5 years.

6. **ANY RELEVANT SITE HISTORY**

- 6.1 No relevant site history.

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.1 **Representations received from Interested Parties**

- 7.1.1 One letter was received **objecting** to the serving of the TPO 6/20 and the reasons for objection are summarised as set out in the table below:

Objection Comment	Officer Response
<p>The order does not comply with the requirements of Paragraph 3 of Part 2 of the Town and Country (Tree Preservations) Regulations (2012):</p> <ul style="list-style-type: none"> There is no referenced scale on the map provided, the map that has been used to mark the position of the trees contains insufficient detail to enable accurate reference points to be identified to assist with confirming which trees are intended to be included in the order, 	<p>The scale of the map is 1:6000 and a scale bar is included on the map itself. Furthermore, the map does not have a title under this TPO and therefore, this point is void. The base map is from a system called GIS and the trees were mapped on site with coordinates, over google earth imagery to enable the most accurate plotting as possible.</p>

Objection Comment	Officer Response
<ul style="list-style-type: none"> • The map is headed 'Local Development Plan – Proposals Map' which bears no relation to the fact that it is supporting a TPO • The base map contains insufficient detail to enable accurate reference points to be identified to assist with confirming which trees are to be included in the order. 	
<p>The Schedule includes an example of how the trees should be specified within an order; this includes a third column titled 'Situation' which should be completed if necessary to specify more precisely the position of the trees. Whilst this is not an absolute requirement, in this instance where the map is not sufficiently accurate to enable correct identification of the trees, more detailed information should have been provided in this column to enable identification of the trees. Without this information it will make proper management of the trees and woodlands within the estate very difficult.</p>	<p>This is not a statutory requirement when serving a TPO. Given the scale of the site and the map provided it is considered suitable detail has been provided in regards to the location and species of tree.</p>
<p>Some trees included within the order have previously been agreed to be removed by virtue of previous planning permissions, and a felling licence issued by the Forestry Commission. Due to the lack of clarity on the map it is not possible to identify these trees on the map and whether they are therefore included in the order.</p>	<p>The Local Planning Authority have been given a copy of the felling licence and have been in contact with the Forestry Commission. The Felling licence states that trees to be felled in line with the licence will be marked with red paint; at the time of the site visit, no trees subject to the TPO had red marking on them. Recent correspondence with the Forestry Commission has been received a further felling license has been applied for. Whereby a Planning Officer and the Tree Consultant went to site to confirm that these trees were not included within the TPO, to date no correspondence has been received confirming that the license has been granted. Furthermore, the Forestry Commission have sent MDC a copy of a letter sent to The Warren Estate in regards to the Felling Licence detailing that the works applied for under 017/657/16-17 have been finished as the volumes allowed under this felling licence have been met. It is</p>

Objection Comment	Officer Response
	<p>considered that this in turn would clarify any matters of concern in regards to the Felling Licence and the TPO, now subject of this item TPO 6/20.</p> <p>Furthermore, a TPO would not mean that a new felling licence could not be issued in the future.</p>

8. **CONCLUSION**

- 8.1 The trees subject of the TPO make a significant contribution to the character and appearance of the surrounding area due to the size, density and attractive nature of the trees and the prominent locations. Given that the trees have a TEMPO score of 20, it is considered that the TPO should be confirmed to prevent inappropriate works being carried out, which could harm the amenity value and overall health of the trees.

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